

Prairie County Board of Commissioners Meeting

August 6th, 2025

Prairie County Court House Commissioners Room

217 West Park St Terry, MT 59349

www.prairiecounty.org

Prairie County Board of Commissioners Todd Devlin, Christine Keltner and Dennis Teske met in regular session at 9:00 a.m. In attendance Administrative Assistant Harry McNall.

9:00 a.m. Pledge of allegiance and call to order. Public Comment.

Dan Pike followed up on last meeting, he provided a study done in January 2025- April 2025. In the abstract females with broods avoided high density wind turbines, these grounds were ½ mile to 1.5 miles away. The number of turbines increased within 3.5 miles, the number of birds using these grounds reduced up to 48% of use. He has tried to contact NextEra biologist, with little response. On the Bad Route road where he lives there will be 80,000 truck trips over two years, which makes him very concerned. The commission has the authority to make decisions on these road agreements.

Tim Popper is there a plan for a man camp within prairie county? Has NextEra provided any kind of plan for their operation? This has not come up yet in the conversation.

Dan Pike does not want to be in the community if it becomes an industrial area. He supports ranching and agriculture. We should have a meeting just on road travel proposed by NextEra.

Harry McNall I don't think you should agree to an agreement, what is their plan on what they are going to do to the road to make this work? Not just how they will maintain the road etc.

Tim Popper: Concern bring road graders up Bad Route Road, they would have to reroute.

Dan Pike: The BLM application from NextEra, he doesn't believe there are any opportunities for public comment. He would like to know about the Resource Management Plan with BLM.

9:30 a.m. Shane Mintz with Montana Department of Transportation (MDOT) District Administrator, Mike Skillestad Miles City Division Maintenance Chief, and Jay Fleming District Construction Engineer. Shane Mintz received questions about millings related to Fallon Southwest Interstate Project, he is here to answer questions and concerns related to that project or materials. Were they required to go to certain projects? The State has no agreement with Prairie County concerning those millings. Shane then explained the contract with the contractor for those millings. There are no requirements on how millings should be used or can be used from the standpoint of state and federal government, unless an agreement is made, and there is no agreement in this case.

Deputy Clerk & Recorder Aria Walters asks follow up questions regarding the use and agreements concerning Fallon Millings. She is concerned about the perception of those county resources being used.

Shane Mintz, State land has some cattle guard and guard rail material on it. Road Supervisor Todd Henry explained where the material is and where it came from. Shane explained there is no agreement on those materials, they are just waiting for the county to pick it up, and there is no hurry to have that done. Shane explained in detail many examples of agreements concerning state road material and property during and after projects.

Commissioner Teske thanked Shane Mintz for his cooperation with his department and the county, currently and in the past.

Shane Mintz ask the commissioners what the status is on the Milwaukee Bridge. Its at 95% currently as of June 20th, 2025.

Harry McNall to Shane Mintz: Does NextEra have to have a road use agreement or permit to travel heavy loads across state road? Shane explained that it is a permitting request process, with reviews etc. There must be permits for heavy travel etc.

10:00 a.m. Terra Burman, Jaime Shanks and Teresea Olson with Eastern Plains Economic Development Corporation (EPEDC). They just wanted to update the commissioners about what is going on with EPEDC. They commented on the pavilion created down by four corners, looks amazing! Just wanted to say how great it looks, and how fast it was built by the volunteers involved. They explained that the Teddy Roosevelt Presidential Library will open next year on July 4th, 2026 in Medora North Dakota, and it may present opportunities for local businesses, and they should use google with key words “Roosevelt” etc, to encourage people visiting on their way to or from this opening. There is an expectation of 15,000 to 20,000 people opening day.

10:45 a.m. Road Supervisor Todd Henry updated the commissioners. He purchased weed chemicals for next year due to the rising cost of chemicals. They now have the case loader back from repairs. The bill is \$33,007.41 for repairs on that loader. What starting wage should they use for the work pool, temporary employees, they are thinking \$22 hr. This is still a work in progress. Some discussion on road use for wind turbines in the future. Aria Walters ask a question about creating a permitting system for large loads on Prairie County Roads.

11:10 a.m. Prairie County Treasurer Garrett Lapp, he provided the commissioners with rebill for property tax assessment concerning DLL Finance LLC.

11:15 a.m. Commissioner Keltner read the minutes from July 30th, 2025, Commissioners meeting.

11:35 a.m. Commissioner Teske made a motion to approve the minutes from the July 30th, 2025, commissioners meeting as corrected, seconded by Commissioner Keltner “all in favor” motion passed.

Took lunch at 11:45 a.m.

1:00 p.m. Deputy Clerk & Recorder Aria Walters provided the commissioners with claims to review and sign.

Prairie County Voucher #1014 \$20,445.40

Prairie County Voucher # 1015 \$4,214.02

Journal Adjustments Voucher # 551, 552

The commissioners reviewed and signed RM88 for records that have met their retention dates according to Montana Code 7-5-2132, for Road Department and other departments mixed.

2:00 p.m. Celia Rigler with Senator Sheehy's Office, Eastern Regional Director and Agricultural Liaison. Commissioner Teske explained to Celia the gravel pit issue within the county, BLM has mineral and land rights, we would those rights transferred to the county, until the pits are reclaimed and closed. BLM has too many regulations and requirements that make it very difficult to mine, use, and permit gravel pits.

Shane Eaton The Taylor Grazing Act lays it out that gravel can be used for roads. Ask Senator to get judges approved, confirmed. He ask her to pass on NextEra's own words about not needing subsidies and abatements.

Commissioner Devlin property cooperative range improvements are the responsibility of the permittee who put it in, and roads are very important to our farm to market people.

Sheriff Lewis wanted to add the importance of the gravel, we have 640 miles of roads. The roads get torn up due to outside of the area people that are tourists, hunters, fishers, hikers etc. We must have gravel to keep the roads up and they keep getting worse.

Commissioner Devlin spoke about the Antiquities Act.

Sheriff Lewis ask that the Senator look into surplus military equipment to be given to counties, especially smaller counties that can't get them through the current programs.

2:30 p.m. Road Supervisor Todd Henry and County Attorney Dan Rice joined the meeting, to discuss the proposed Prairie County Road Haul Agreement that the county has developed, they are not going to use NextEra's Draft agreement.

Edits to the road haul agreement during discussion with Commissioners.

Commissioners read, reviewed, and added changes during the conversation on the Road Haul agreement. Discussion on bridge replacements etc, for this agreement and future agreements.

Commissioners signed a Cattle Guard Petition for Creek Ranch by Lon Raukauf.

4:30 p.m. Public Comment:

Shane Eaton: The agreement does not say anything about closing the road; commented on Section 3; permits and having them in order before you can continue. The purpose of the document is Maintenance: Shouldn't it go on for the entirety of the project? Should it include

reconstruction of the road? He had questions about warranty, shouldn't the agreement go the length of the warranty. This agreement should last much longer, to keep roads in good condition in the future. Are weight restrictions allowed in this agreement? Is there any recourse for failing to comply? Hazardous Material Coverage for any and all claims. Shane pointed out that Section 7 Bond \$100,000 per mile is not enough.

NextEra's agreement calls for closing roads, that can't happen, there may be no other route.

Todd Henry: We need to review road policy.

Arron Martinson: State overweight permits don't really mean anything for the county. Section 3 (P) all straight trucks and combination vehicles in reference to "tag axiles". The county should approve what chemicals are used for weed control.

Chele Harrington: Agrees with Arron, and they use large cranes throughout the life of the project. Breeding birds affected by wind turbines in the Dakotas, is a study concerning ground nesting birds.

Shane Eaton commented on the NextEra's Road use agreement.

Commissioner Chair Todd Devlin called the meeting to an End. Meeting Adjourned 5:15 P.m.

Signed this 20th day of August 2025



Todd Devlin, Commissioner Chair

ATTEST: 

Shari Robertson, Clerk & Recorder